

REMARKS

Claims 23 and 24 were rejected under 35 U.S.C. §102(b) as being anticipated by US Pat. 5,700,281 (Brewer et al.). Claim 23 describes a method for guiding an operator of an automatic external defibrillator in pad placement on a subject comprising prompting an operator to conduct a pad placement action; sensing whether the pads are in proper contact with the subject and, if they are not; following sensing, issuing a pad correction prompt to remove a pad liner. This method for guiding an operator of an AED in rescuing a victim addresses a major problem in electrode attachment, which is that layperson rescuers often do not recognize that the adhesive gel is covered by a liner which must be removed. Brewer et al. recognizes that a wide range of impedances may exist after the pad are attached to a patient and some impedances of fault conditions may overlap valid chest impedances from properly attached electrodes. Faced with this seemingly insurmountable problem, Brewer et al. can do only one thing with their impedance range system, which is to caution the rescuer to check the electrodes. This may or may not lead the rescuer to discover the problem with faulty electrode attachment. The present invention overcomes this by directing a rescuer explicitly to a common problem, which is failing to remove the gel liners. Since such a prompt or even the need for one is not shown or suggested by Brewer et al., it is respectfully submitted that Claims 23 and 26 are not anticipated and hence patentable over Brewer et al.

Claim 24 describes a method for guiding an operator of an automatic external defibrillator in pad placement on a subject comprising prompting an operator to conduct a pad placement action; sensing whether the pads are in proper contact with the subject and, if they are not; following sensing, issuing a pad correction prompt that the pads must

not be touching each other. As explained in the specification, the only expertise many layperson rescuers have with defibrillation is what they see on TV, where they see a doctor place paddles side-by-side on a patient's chest to deliver a shock. Today's AEDs, however, do not operate this way. The electrodes are to be placed as shown on the pad packages, and are not to be touching each other. Brewer et al. do not recognize this. All they can do if an ECG is not received is to caution the rescuer to "check the electrodes." The present invention alerts a rescuer to a common problem and tells the rescuer that the pads must not be touching each other. Since Brewer et al. do not show or suggest the use of such a prompt, it is respectfully submitted that Claims 24 and 27 are patentable over Brewer et al.

Claims 25-28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Brewer et al. The claims of this application have been commonly owned at all relevant times. Claim 25 describes a method for guiding an operator of an automatic external defibrillator in pad placement on a subject comprising prompting an operator to conduct a pad placement action; sensing whether the pads are in proper contact with the subject and, if they are not; following sensing, issuing a pad correction prompt that the pads must not touch clothing. The invention of Claim 25 prevents a safety hazard to the victim of a rescue, which is clothing contacting an electrode which conducts the shock to another part of the body of the victim. Brewer et al. do not suggest any pad correction prompts. They simply assume that clothing will not contact the pads, or do not recognize the hazard at all. Since Brewer et al. does not even hint at a pad correction prompt, let alone to check contact with clothing, it is respectfully submitted that Claims 25 and 28 are patentable over Brewer et al.

The art which was cited but not applied has been reviewed and is not believed to affect the patentability of the claims presented above.

In view of the foregoing amendment and remarks it is respectfully submitted that Claims 23-28 are patentable over Brewer et al. It is respectfully submitted that the §112 rejection has been mooted by the cancellation of Claim 13.

In light of the foregoing amendment and remarks, it is respectfully submitted that this application is now in condition for allowance. Favorable reconsideration is respectfully requested.

Respectfully submitted,

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